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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the)
Teaching License of) DEFAULT ORDER OF
CAROL ANN KAUFMANN) LICENSE REVOCATION

On April 13, 2007, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Carol Ann Kaufmann (Kaufmann) in which the Commission charged her with misconduct under ORS 342.175. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7005 1160 0001 0494 2871 to the address obtained by the Commission. The certified mail receipt addressed to Ms. Kaufmann was returned on April 26, 2007, and the U.S. First Class Mail returned on April 25, 2007. The Notice of Opportunity of Hearing, dated April 13, 2007, and signed by Victoria Chamberlain, Executive Director, stated:

"You, Carol Ann Kaufmann, are entitled to a hearing on the proposed action of the Commission. If you want a hearing, you must file a written request for a hearing with the Commission within 21 days of the date of this notice. Attached to this notice is a copy of the procedures, right of representation and other rights of parties relating to the conduct of a hearing as required under ORS 183.413(2)."

Ms. Kaufmann did not request a hearing. The Commission, therefore, finds Ms. Kaufmann to be in default and enters the following findings of fact, conclusions of law and order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. The Commission issued an Initial Substitute Teaching License to Ms. Kaufmann on November 3, 2003, with a Substitute Any Specialty Endorsement. Said license expired on November 3, 2006.
2. On November 10, 2004, the Commission received a report from Wayne C. Travillion of Reynolds School District indicating that a parent filed a complaint concerning the manner in which Ms. Kaufmann addressed their child in class. During the 2004-2005 school year while

1 substituting at Reynolds Middle School Ms. Kaufmann made a racially inappropriate remark
2 when she called out to a black student in a loud voice, "Hey you black kid".

3 **CONCLUSIONS OF LAW**
4

5 Carol Ann Kaufmann's failure to use professional judgment by attempting to get the
6 attention of the only black student in the class in a racially insensitive way while substituting at
7 Reynolds Middle School during the 2004-2005 school year constitutes Gross Neglect of Duty in
8 violation of OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5). The
9 Commission has the authority to impose discipline in this matter under ORS 342.120 through
10 342.430 and OAR Chapter 584.

11 **DEFAULT ORDER**

12 The Commission adopts and incorporates herein the above findings of facts and
13 conclusions of law, and based thereon, hereby revokes the Initial Substitute Teaching License
14 issued to Carol Ann Kaufmann.

15 Issued and dated this 21 day of May, 2007.

16 **TEACHER STANDARDS AND PRACTICES COMMISSION**
17 **STATE OF OREGON**
18

19 By: 
20 Victoria Chamberlain, Executive Director

21 **NOTICE OF APPEAL OR RIGHTS**
22

23 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
24 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE
25 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS
26 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Carol Ann Kaufmann
925 NE 162nd
Portland, OR 97230

Dated this 12th day of June, 2007.

By: Melody Hanson
Melody Hanson, Executive Assistant